



# PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION  
445 12th STREET S.W.  
WASHINGTON D.C. 20554

---

News media information 202-418-0500  
Internet: <http://www.fcc.gov> (or <ftp.fcc.gov>)  
TTY (202) 418-2555

**Report No. TEL-01874NS**

**Monday October 30, 2017**

## **Non Streamlined International Applications/Petitions Accepted For Filing**

### **Section 214 Applications (47 C.F.R. §§ 63.18, 63.24); Section 310(b) Petitions (47 C.F.R. § 1.5000)**

Unless otherwise specified, the following procedures apply to the applications listed below:

The applications listed below have been found, upon initial review, to be acceptable for filing. These applications are not subject to the streamlined processing procedures set forth in Section 63.12 of the Commission's rules, 47 C.F.R. § 63.12. These applications shall not be deemed granted until the Commission affirmatively acts upon the application, either by public notice or by written order. Operation for which authorization is sought may not commence except in accordance with any terms or conditions imposed by the Commission. Pursuant to Section 1.1910(b)(2) of the rules, action will be withheld on any application by any entity found to be delinquent in its debts to the Commission. Applicants should check the Red Light Display System's website at [www.fcc.gov/redlight](http://www.fcc.gov/redlight) to determine if they are delinquent in a debt to the Commission and for information on how to pay the debt.

Unless otherwise specified, interested parties may file comments with respect to these applications within 28 days of the date of this public notice. We request that such comments refer to the application file number shown below. No application listed below shall be granted by the Commission earlier than the day after the date specified in this public notice for the filing of comments.

Unless otherwise specified, ex parte communications between outside parties and Commission staff concerning these applications are permitted subject to the Commission's rules for "permit-but-disclose proceedings." See 47 C.F.R. § 1.1206.

Copies of all applications listed here are available for public inspection in the FCC Reference and Information Center, located in room CY-A257 at the Portals 2 building, 445 12th Street SW, Washington DC 20554. The center can be contacted at (202) 418-0270. People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 1-888-835-5322 (tty). All applications listed are subject to further consideration and review, and may be returned and/or dismissed if not found to be in accordance with the Commission's rules, regulations, and other requirements.

## Petition for Declaratory Ruling

Puerto Rico Telephone Company, Inc. (PRTC or Petitioner) has filed a petition requesting an updated declaratory ruling (Petition), pursuant to section 1.5000(a)(1) of the Commission's rules, 47 CFR § 1.5000(a)(1), that it would not serve the public interest to prohibit PRTC from exceeding the 25 percent foreign ownership benchmark in section 310(b)(4) of the Communications Act of 1934, as amended (the "Act"), 47 U.S.C. § 310(b)(4). According to the Petition, PRTC holds the following types of radio licenses to which section 310(b) is applicable: Advanced Wireless Service, Cellular, Common Carrier Fixed Point-to-Point Microwave, Digital Electronic Message Service - Common Carrier, PCS Broadband, and 700 MHz Lower Band. PRTC is also the lessee of certain spectrum in the Educational Broadband Service.

PRTC is a wholly-owned direct and indirect subsidiary of Telecomunicaciones de Puerto Rico, Inc. (TELPRI), a corporation organized under the laws of the Commonwealth of Puerto Rico, and America Movil, S.A.B. de C.V. (America Movil), a publicly traded company organized under the laws of Mexico, respectively. America Movil is controlled by Mr. Carlos Slim Helu and certain members of his family (the "Slim Family"), all of whom are citizens of Mexico. PRTC has filed the instant Petition to obtain additional flexibility for America Movil and the Slim Family to enter into potential business transactions that could increase the Slim Family's equity ownership and voting interests in America Movil and, consequently, in TELPRI, up to and including 100 percent. America Movil stipulates as a condition for the grant of the Petition that, should it ever intend to take steps that would cause it to cease being subject to the transparency and disclosure obligations of a public company at a future date, it will seek prior Commission approval by filing another section 310(b)(4) petition for declaratory ruling.

Petitioner notes that the Commission has previously approved 100 percent foreign ownership of PRTC's controlling U.S. parent, TELPRI, by America Movil through a series of named subsidiaries organized in Mexico, up to and including 100 percent of the equity and voting interests in TELPRI (citing TELPRI Order, FCC 07-43, 22 FCC Rcd 6195 (2007)). At the time of the ruling, the Slim Family had a 32.33% equity and 66.21% voting interest in America Movil. In subsequent rulings, the Commission has authorized the Slim Family to increase its equity and voting interests in America Movil (citing International Authorizations Granted, Public Notice, ISP-PDR-20100623-00012, DA 11-259, 26 FCC Rcd 1359 (IB 2011) (permitting 40.18% equity interest by the Slim Family); International Authorizations Granted, Public Notice, ISP-PDR-20120820-00004, DA 12-1740, 27 FCC Rcd 13434 (IB 2012) (permitting up to 49.99 percent equity interest by the Slim Family)). Most recently, the Commission authorized the Slim Family to increase its direct and indirect interests in America Movil up to and including a 75 percent equity and 95 percent voting interest (International Authorizations Granted, Public Notice, ISP-AMD-20160302-00004 and ISP-PDR-20140707-00004, DA 16-337, 31 FCC Rcd 2270 (IB 2016)).

The following entities hold, directly or indirectly, a ten percent or greater equity and/or voting interest in TELPRI: Tenedora Telpri, S.A. de C.V. (Tenedora) (100% direct equity and voting interest); Radiomovil Dipsa, S.A. de C.V. (Telcel) (99.99% direct equity and voting interest in Tenedora); Sercotel, S.A. de C.V. (Sercotel) (99.99% direct equity and voting interest in Telcel); America Movil (99.99% direct equity and voting interest in Sercotel). America Movil's wholly-owned indirect subsidiary, Amov IV, S.A. de C.V., holds the remaining 00.01% ownership interests in Sercotel, Telcel, and Tenedora. All of these entities are organized in Mexico.

According to the Petition, as of August 17, 2017, the Slim Family holds 62.87% of the equity and 88.79 percent of the voting interests in America Movil through shares held individually by Slim Family members and through: a Mexican trust (the "Family Trust") (25.57% equity and approximately 51.36% voting interests); Inversora Carso S.A. de C.V. (f/k/a Inmobiliaria Carso S.A. de C.V.) (9.49% equity and approximately 20.09% voting interests); Control Empresarial de Capitales, S.A. de C.V. (6.25% equity and approximately 0.56% voting interests); and Grupo Financiero Inbursa S.A.B. de C.V. (1.69% equity interest). Other than Carlos Slim Helu, no individual member of the Slim Family holds 5 percent or greater voting interest in America Movil. According to the Petition, the remaining shares of America Movil are held by Mexican and other foreign investors as well as by registered holders of American Depositary Shares with U.S. addresses.

Pursuant to section 1.5001(i) of the rules, the Petitioner requests that the Commission specifically approve the foreign equity and voting interests held directly or indirectly in TELPRI by the above-described foreign entities and individuals. It also requests, pursuant to section 1.5001(k) of the rules, advance approval for the foreign entities with a controlling interest in TELPRI (i.e., Telcel, Sercotel, and the Slim Family) to increase their interests, at some future time, up to any amount, including 100 percent of the equity and voting interests in TELPRI.

PRTC states that it and America Movil are, and will be continue to be, subject to a network security agreement that has been in place since America Movil acquired PRTC in 2007 (citing TELPRI Order, 22 FCC Rcd 6195). It asserts that the requested ruling is fully consistent with the standard set forth in section 310(b)(4) of the Act, the Commission's foreign ownership rules (47 CFR §§ 1.5000-1.5004), and prior precedent.

Interested parties may file comments on or before November 13, 2017, and reply comments on or before November 20, 2017.

---

REMINDER:

Applicants must certify that neither the applicant nor any party to the application is subject to a denial of federal benefits by federal and/or state courts under authority granted in 21 U.S.C. § 862. See 47 C.F.R. §§ 1.2001–.2003.